

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

BILLY STRAHAN,

§

Plaintiff,

§

vs.

§ CIVIL ACTION NO. 10-2441

WASTE MANAGEMENT, INC.,

§

Defendant.

§

**ORDER GRANTING MOTION TO COMPEL**

On July 13, 2011, the plaintiff, Billy Strahan, appeared for his deposition. The transcript attached to the defendant's motion to compel shows that he refused to answer any questions, instead invoking the Fifth Amendment, even after he was informed that there was no basis to do so in this civil case that he filed. The defendant has moved to compel Mr. Strahan to appear for his deposition and answer the questions, under oath, as required under the rules. (Docket Entry No. 36). Mr. Strahan has not filed a response. The motion is granted to the extent of requiring Mr. Strahan to appear for his deposition on **September 19, 2011, at 9:00 a.m.**, in Courtroom 11-B, United States Courthouse, 515 Rusk, Houston, Texas. If the date is not feasible, the parties are to advise the court's case manager promptly. If Mr. Strahan fails to appear for his deposition at the date and time set either in this order or by subsequent order, or if he fails to answer properly posed questions in the deposition, this case will be dismissed, with prejudice.

SIGNED on August 29, 2011, at Houston, Texas.

  
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Lee H. Rosenthal  
United States District Judge